

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

JOSIAH GALLOWAY,

Plaintiff,

-against-

COUNTY OF NASSAU, et al.,

Defendants.

DECLARATION OF  
GABRIEL P. HARVIS

19 CV 5026 (AMD) (JMW)

Gabriel P. Harvis declares, pursuant to 28 U.S.C. § 1746, under penalty of perjury, that the following is true and correct:

I am a partner in the law firm of Elefterakis, Elefterakis & Panek, attorneys for plaintiff Josiah Galloway. As such, I am fully familiar with the facts and circumstances of this case. I submit this declaration in support of plaintiff's motion for disqualification.

**Exhibits to Plaintiff's Motion**

1. Annexed hereto as Exhibit 1 is a copy of an opinion dated January 11, 2005 in *Blake v. Race*, 01 CV 6954 (SJ) (CLP);
2. Annexed hereto as Exhibit 2 is a copy of the County Defendants' Responses to Plaintiff's Second Set of Document Requests dated January 11, 2021;
3. Annexed hereto as Exhibit 3 is a copy of the Eyewitness Identification Expert Report of Dr. Jennifer Dysart dated March 4, 2021;
4. Annexed hereto as Exhibit 4 is a copy of excerpts from the transcript of the deposition of Sheryl Anania taken on September 11, 2020;
5. Annexed hereto as Exhibit 5 is a copy of excerpts from the transcript of the deposition of Matthew Ross taken on November 16, 2020;

6. Annexed hereto as Exhibit 6 is a copy of the Affidavit of Lori Magliaro;
7. Annexed hereto as Exhibit 7 is a copy of a letter dated February 23, 2021 and enclosures (with line numbers added to pp. 2-5 of the document by plaintiff's counsel);
8. Annexed hereto as Exhibit 8 is a copy of excerpts from the transcript of the deposition of Lori Magliaro taken on June 15, 2021; and
9. Annexed hereto as Exhibit 9 is a copy of letters dated June 15, 2021 and June 16, 2021 and enclosures.

Dated: July 19, 2021  
Briarcliff Manor, New York

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**Gabriel P. Harvis**